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8 Attorneys for Plaintiffs

9 **UNITED STATES DISTRICT COURT**

10 **NORTHERN DISTRICT OF CALIFORNIA**

11 MICHAEL R. MARCUS and VICTORIA L.  
12 MARCUS,

13 Plaintiffs,

14 vs.

15 AIR & LIQUID SYSTEMS CORPORATION,  
*et al.*,

16 Defendants.

17 Case No.: 4:22-cv-09058-HSG

18 [Alameda County Superior Court Case No.:  
22CV021840]

19 **STIPULATION TO EXTEND  
JURISDICTION OVER  
CONDITIONALLY DISMISSED  
DEFENDANT SPIRAX SARCO, INC.;  
ORDER**

20 Courtroom: 02, 4<sup>th</sup> Floor

21 District Judge: Hon. Haywood S. Gilliam Jr.

22 Filed in State Court: November 15, 2022

23 Removed to NDCA: December 21, 2022

24 Trial Date: September 9, 2024.

1 **TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that Plaintiffs Michael R. Marcus and Victoria L. Marcus  
 3 ("Plaintiffs") and SPIRAX SARCO, INC. ("Defendant") hereby stipulate as follows:

4 1. On November 15, 2022, Plaintiffs filed their Complaint for Personal Injury and Loss  
 5 of Consortium – Asbestos in the Superior Court of the State of California, County of Alameda  
 6 Case No. 22CV021840.

7 2. On December 21, 2022, the above action was removed to the United States District  
 8 Court, Northern District of California, Case No. 4:22-09058.

9 3. On August 29, 2024, Plaintiffs and Defendant reached an agreement of all claims in  
 10 this action.

11 4. On September 04, 2024, the Court granted a conditional dismissal with prejudice as to  
 12 SPIRAX SARCO, INC., with the Court retaining jurisdiction for 60 days.

13 5. While all terms of settlement are agreed upon, the terms of settlement are not yet  
 14 perfected. Plaintiffs and Defendant agree that this matter should not be litigated due to the  
 15 agreed-upon resolution.

16 6. Therefore, Plaintiffs and Defendant stipulate and request that this Court retain  
 17 jurisdiction over the matter as it pertains to Defendant SPIRAX SARCO, INC., for an additional  
 18 forty-five (45) days.

19 DATED: November 5, 2024

Maune Raichle Hartley French & Mudd LLC

20 By:

  
 21 Rabiah N. Oral  
 22 Attorney for Plaintiffs

23 DATED: November 5, 2024

24 TUCKER ELLIS LLP

25 By:

  
 26 Nicole E. Gage  
 27 Attorneys for SPIRAX SARCO, INC.

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**LOCAL RULE 5-1(i)(3) SERVICE AND FILING OF PLEADINGS AND OTHER  
PAPERS**

2 In accordance with L.R5-1(i)(3), I, Rabiah N. Oral, attest that all signatories identified  
3 above, and on whose behalf the filing is submitted, concur in the filing's content and have  
4 authorized the filing.

5 DATED: November 5, 2024

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Rabiah N. Oral, Esq.  
Attorney for Plaintiffs

## ORDER

Having read and considered the foregoing stipulation of parties, and good cause appearing:

PURSUANT TO STIPULATION, IT IS SO ORDERED that the terms of settlement between PLAINTIFFS and Defendant SPIRAX SARCO, INC., are to be perfected within forty-five (45) days of this order. The Court retains jurisdiction over the matter as it pertains to Defendant SPIRAX SARCO, INC., for forty-five (45) days from the date of this order.

IT IS SO ORDERED.

DATED: 11/12/2024

Haywood S. Gill Jr.  
Hon. Haywood S. Gilliam, Jr.  
UNITED STATES DISTRICT COURT JUDGE